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24. [] FAA ALERT Notified the principal members of the Senate and House Armed Services Committees, Senate and House Appropriations Committees, the House International Relations Committee, and the Senate Foreign Relations Committee of the existence of a Presidential finding under Section 662 of the Foreign Assistance Act. This covers all committees except the Senate Select Committee on Intelligence. After failing to contact Chairman Daniel Inouye (D., Hawaii), who had just departed for Hawaii, I left a message for Bill Miller, Staff Director of the Select Committee, to call me. See note for file.

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Acting Legislative Counsel

cc:

O/DCI DDI DDA DDS&T []

O/DDCI
Ex. Sec.[]
EA/DDO IC Staff
Comptroller

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Notification of Committees of Presidential Finding

House Armed Services -- In the absence of Chairman Nedzi of the Intelligence Subcommittee, the notification and explanation was provided to Chief Counsel, Frank Slatinshek. Slatinshek's reaction was that he can't believe the possible impact is worth the risk of leakage--later he informed me that Mr. Nedzi wanted Mr. Bush to know that he thought it was incredible that the Administration would mount such an operation because it would be almost impossible to assure against congressional leakage in view of the number of committees which have to be briefed.

House Appropriations -- Chairman Mahon in the company of Ralph Preston and Charles Snodgrass, viewed this as a modest effort and was willing to assume responsibility to assure against leakage in response to the Executive Branch's concern. We are obligated to get back to him if the other committees believe it is essential to assemble for a briefing on the scope and description of the program.

Senate Foreign Relations -- In the absence of Senator Sparkman, the notification and explanation was provided to Pat Holt, Chief of Staff. He too felt that the possible impact was not worth the risk. His personal reaction was that he favored the earlier suspended program because it was in support of responsible people and that this smacked of a "dirtier trick." He said he would inform Chairman Sparkman and it was likely they would want to schedule a briefing of themselves. His opinion was that they would not have any objection to the program. I observed that the probability of leakage would occur if as is that Committee's normal practice a notice is circulated to the full membership of the full Committee that the Director has made a report of a new Presidential finding. Holt argued that the whole purpose of the Hughes/Ryan amendment is to permit members to raise their objection to the Executive Branch in a responsible manner and in this connection said that Senator McGovern, in connection with the [] finding, had acted responsibly by writing to the President and had never received a reply. I said I could understand why this topic

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would not be a suitable subject for a written response, and in response to my query he said he believed no one had even contacted the Senator in connection with his letter. We discussed the availability of the Director for a briefing to fit in with Senator Sparkman's and Senator Case's schedules. Holt said a representative from the Agency would suffice, other than the Director. Later, a call from the Committee set the date of 4 June at 2:30 p.m. for the briefing.

Senate Appropriations -- In the absence of Senator McClellan, I notified Guy McConnell, Clerk, and it may be that the update briefing of 25 May will suffice for their purposes. McConnell will let us know.

Senate Armed Services -- The Hughes/Ryan amendment specifies that the committees to receive reporting are the "appropriate committees of the Congress, including the Committee on Foreign Relations and the Committee on International Relations." During Senate debate it was made clear that the phrasing by itself made no adjustment in oversight responsibility. However, under S. Res. 400 it is clear that with respect to covert action reporting the new Senate Select Committee on Intelligence is an appropriate committee. In the absence of Senator Stennis, I discussed this problem with Chief Counsel Ed Braswell and General Counsel Clark McFadden and they agreed that reporting should be made to the Senate Select Committee but that until an agreement is reached between the Select Committee and the Senate Armed Services Committee, we should report to the Senate Armed Services Committee as well. Therefore, I notified them of the finding.

House International Relations -- Chairman Morgan was notified and was willing to assume responsibility to assure against leakage. Obviously, we have a responsibility to inform him as to the reaction of the other chairmen.

Select Committee on Intelligence -- An attempt was made to see Chairman Inouye but he had left the city to travel to Hawaii and will not return until 7 June. I informed his personal secretary that we had some official committee business to conduct with him and, against the possibility that we may wish to contact him in Hawaii, I was informed he could be reached through [redacted] Senator Inouye's office could not confirm an identity of a staff member of the Committee with whom I could deal. Before leaving the Hill I placed a call

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